

ALLEGED SHIPMENT: On or about September 10, 1945, by the St. Cloud Canning Association, from St. Cloud, Minn.

PRODUCT: 483 cases, each containing 24 1-pound, 4-ounce cans, of peas at Aberdeen, S. Dak.

LABEL, IN PART: "Good Value [or "Happy Host"] Brand * * * Early June Peas."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the product was below standard.

DISPOSITION: February 5, 1946. The St. Cloud Canning Association having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration.

9356. Misbranding of canned peas. U. S. v. 387 Cases of Canned Peas. Default decree of forfeiture. Product ordered delivered to the Red Cross. (F. D. C. No. 17911. Sample No. 18286-H.)

LIBEL FILED: October 10, 1945, Southern District of Iowa.

ALLEGED SHIPMENT: On or about August 8, 1945, by the Cobb Canning Co., from Cobb, Wis.

PRODUCT: 387 cases, each containing 24 20-ounce cans, of peas at Des Moines, Iowa.

LABEL, IN PART: "Our Little Cook Brand * * * Wisconsin Early June Peas."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the article was below standard.

DISPOSITION: March 21, 1946. No claimant having appeared, judgment of forfeiture was entered and the product was ordered delivered to the Red Cross.

9357. Misbranding of canned peas. U. S. v. 349 Cases of Canned Peas. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 18882. Sample No. 19436-H.)

LIBEL FILED: January 19, 1946, District of Minnesota.

ALLEGED SHIPMENT: On or about August 24, 1945, by the Bloomer Farm Products Co., from Bloomer, Wis.

PRODUCT: 349 cases, each containing 24 20-ounce cans, of peas at Minneapolis, Minn.

LABEL, IN PART: "Distinctive Brand Early Peas."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the article was below standard.

DISPOSITION: April 3, 1946. The Bloomer Farm Products Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Federal Security Agency.

9358. Misbranding of canned peas. U. S. v. 223 Cases of Canned Peas. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 18857. Sample No. 19943-H.)

LIBEL FILED: January 15, 1946, District of North Dakota.

ALLEGED SHIPMENT: On or about October 4, 1945, by the St. Cloud Products Association, from St. Cloud, Minn.

PRODUCT: 223 cases, each containing 24 1-pound, 4-ounce cans, of peas at Minot, N. Dak.

LABEL, IN PART: "Good Value Brand * * * Early June Peas."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the product was below standard.

DISPOSITION: February 4, 1946. The Winston and Newell Co., Minneapolis, Minn., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be relabeled under the supervision of the Federal Security Agency.

9359. Adulteration of green split peas. U. S. v. 53 Bags of Green Split Peas. Default decree of condemnation. Product ordered sold. (F. D. C. No. 18565. Sample No. 35316-H.)

LIBEL FILED: December 12, 1945, Eastern District of Missouri.

ALLEGED SHIPMENT: On December 12, 1944, from Lewiston, Idaho.

PRODUCT: 53 25-pound bags of green split peas at St. Louis, Mo., in the possession of the Southern Terminal Warehouse Company. Examination showed that the product had been stored under insanitary conditions after shipment. Some bags were rodent-gnawed, and rodent excreta and urine stains were observed on them. Examination showed that the product contained urine and larvae.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: January 16, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered sold, conditioned upon the adoption of safeguards to insure that it would not be disposed of for human consumption.

9360. Adulteration of potato chips. U. S. v. 147 Dozen Bags and 26 Boxes of Potato Chips. Default decrees of condemnation and destruction. (F. D. C. Nos. 18899, 18900. Sample Nos. 19535-H, 19540-H.)

LIBELS FILED: January 26 and 30, 1946, Northern District of Iowa and Western District of Wisconsin.

ALLEGED SHIPMENT: On or about December 28 and 29, 1945, and January 2 and 3, 1946, by the Red Dot Foods, from St. Paul, Minn.

PRODUCT: 147 dozen bags and 26 boxes, each box containing 10 dozen packages, of potato chips at Waterloo, Iowa, and La Crosse, Wis. Examination showed that the Iowa lot contained rodent hairs and insect fragments, and that the Wisconsin lot was prepared from decomposed potatoes.

LABEL, IN PART: (Bags) "Red Dot Potato Chips Net Wt. 1- $\frac{3}{4}$ Oz."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy or decomposed substance; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: February 28 and March 27, 1946. No claimant having appeared for either lot, judgments of condemnation were entered and the product was ordered destroyed.

9361. Misbranding of potatoes. U. S. v. William F. Dunn (W. F. Dunn Potato Co.) and Claude H. Long. Pleas of nolo contendere. Fine, \$150 against each defendant. (F. D. C. No. 17834. Sample No. 26485-H.)

INFORMATION FILED: February 26, 1946, District of Colorado, against William F. Dunn, trading as the W. F. Dunn Potato Co., Denver, Colo., and Claude H. Long, manager of the company.

ALLEGED SHIPMENT: On or about April 17, 1945, from the State of Colorado into the State of Arkansas.

LABEL, IN PART: "100 Lbs. Net Colorado Potatoes."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the article was in package form, and it failed to bear a label containing an accurate statement of the quantity of the contents since the bags contained less than 100 pounds, the declared weight.

DISPOSITION: February 28, 1946. Pleas of nolo contendere having been entered, the court imposed a fine of \$150 against each defendant.

9362. Misbranding of relish. U. S. v. Harry Taylor (Taylor Packing Company). Plea of guilty. Fine, \$250. (F. D. C. No. 16577. Sample Nos. 9517-H, 13803-H.)

INFORMATION FILED: October 29, 1945, Western District of New York, against Harry Taylor, trading as the Taylor Packing Co., Elmira, N. Y.

ALLEGED SHIPMENT: On or about November 7 and 22, 1944, from the State of New York into the State of Pennsylvania.

LABEL, IN PART: "Taylor's 'Tasty Kind' Sweet India Relish," or "Taylor's Hot Dog Relish."

NATURE OF CHARGE: Misbranding, Section 403 (k), the product contained a chemical preservative, sodium benzoate, and it failed to bear labeling stating that fact.